

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated July 15, 2009 (hereinafter Office Action) have been considered. Claims 1-11, 13-30 and 32-38 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 1-11, 13-30 and 32-38 are rejected based on 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2002/0019825 by Smiga et al. (hereinafter “Smiga”) and further in view of U.S. Publication No. 2002/0178022 by Anderson et al. (hereinafter “Anderson”).

Applicants respectfully traverse the rejections and submit that the combination of Smiga and Anderson fail to teach or suggest all of the claim limitations. For example, in the rejection of Claim 1, Smiga’s disclosure of a “physical address” in FIG. 15 is cited as teaching or suggesting location information that is identified by a place name. Applicants respectfully submit that, the combination of Smiga and Anderson would provide insufficient guidance for one of ordinary skill in the art having these references before him/her to make the combination or modification suggested by the Examiner in order to render the claimed features related to place name criteria obvious. Such claimed features related to place name include associating information multi-dimensionally with the place name criteria, or carrying out a reminder concerning a stored association associated with the place name based on a determined location.

Nonetheless, the Applicants have amended independent Claims 1 and 20 to more clearly define how the location name is used, as is disclosed, e.g., in paragraph 0036 of the Specification as filed. This paragraph describes “a division based on caller groups” such as “work” and “home,” and that a “mobile phone is capable of sensing the operational environment” and in response, e.g., “reminding about domestic matters at home and about business matters at work.” Therefore, Claim 1 now recites that the at least one other criterion comprises a group identifier that describes both location information and a caller group division of a subscriber terminal.

Applicants note that Claims 6 and 25 as previously presented recited that the criteria comprises a caller group division of a subscriber terminal in a radio system, Applicants respectfully submit that FIG. 15 and paragraph 0194 of Smiga, which was relied upon to reject

those claims, fails to teach or suggest a group identifier that describes both location information and a caller group division of a subscriber terminal. The table in FIG. 1 lists, e.g., object types that include project, person, email address, but fails to expressly describe a caller group. Nowhere else in the Smiga is an identifier taught or suggested that describes both the group and location information. Nor does Anderson remedy this deficiency. Anderson describes at paragraph 0047 that an “[a]utomated assistant 100 may also rely on communications provider 190 to supply information indicating a user's current whereabouts, either for use in updating a user's schedule, or as part of the information used in making a determination as to whether or not a user should be contacted concerning a given event.” Nowhere does Anderson teach or suggest, however, that the whereabouts information is described by a group identifier that at least describes a caller group.

As a result, Applicants respectfully submit that independent Claims 1 and 20 are allowable over the Smiga/Anderson combination. Also, because dependent Claims 2-11, 13-19, 21-30, and 32-38 depend from Claims 1 and 20, respectively, these claims are also allowable over the Smiga/Anderson combination. “If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious.” M.P.E.P. §2143.03; citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

The Applicants respectfully submit that a detailed discussion of each of the Examiner's rejections beyond that provided above is not necessary, in view of the clear absence of teaching and suggestion of various features recited in the Applicant's pending Claims 1 and 20. Accordingly, it is to be understood that where the Applicants have not addressed particular points in the Office Action, this should not be construed as acquiesce to the Examiner's characterization of the asserted art or the Applicant's claimed subject matter, nor of the Examiner's application of the asserted art or combinations thereof to the Applicant's claimed subject matter. Nor do the Applicants acquiesce to any explicit or implicit statements or conclusions by the Examiner concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, alternative equivalent arrangements, common knowledge at the time of the Applicant's invention, officially noticed facts, and the like. The Applicants, however, reserve the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (NKO.008.US) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

HOLLINGSWORTH & FUNK, LLC
8009 34th Avenue South, Suite 125
Minneapolis, MN 55425
952.854.2700

Date: October 15, 2009

By: /William B. Ashley/

William B. Ashley
Reg. No. 51,419